

Entered - 09/28/00 - sb
CL00L0588 - DIANNE C. MITCHELL

CLAIM OF: ROBERT LAMAR FREEMAN,
through his attorney,
Yasma M. Patterson
P. O. Box 2581
LaGrange, Georgia 30241

00-12-1724

For damages alleged to have been sustained as a result of personal injuries
due to an explosion on April 13, 2000 at 875 Norcross Street.

THIS ADVERSED REPORT IS APPROVED

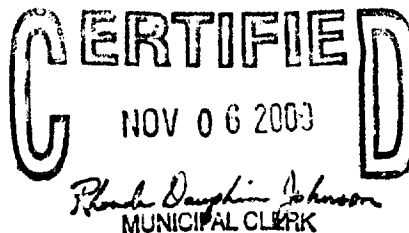
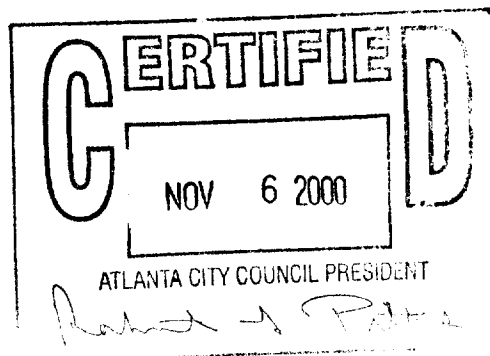
BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSE REPORT

CONSENT AGENDA

Public Safety
10/31/00
V-C Clotworthy
Dwight Smith
Mark Huff
John
James Arvey

ADVERSED BY
CITY COUNCIL NOV 06 2000





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

November 14, 2000

Yasma . M. Patterson
Attorney at Law
P. O. Box 2581
LaGrange, GA 30241

00-R-1724

RE: Robert Lamar Freeman

Dear Attorney Patterson:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 03, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0588

Date: October 10, 2000

Claimant /Victim ROBERT LAMAR FREEMAN
BY: (Atty.) Yasma M. Patterson
Address: P. O. Box 2581, LaGrange, Georgia 30241
Subrogation: Claim for Property damage \$ Bodily Injury \$ 25,000,000.00
Date of Notice: 09/26/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 04/13/00 Place: 875 Norcross Street
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges he was injured due to an explosion at the above stated location. The investigation determined that this property is owned and operated by the Atlanta Housing Authority. The Atlanta Housing Authority is a separate legal entity from the City of Atlanta. The claimant's attorney has been advised of the above.

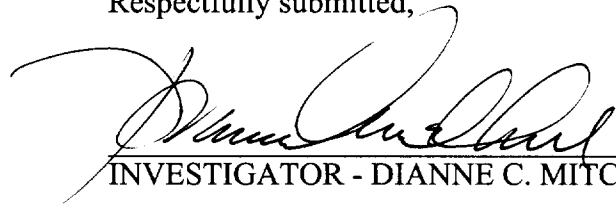
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

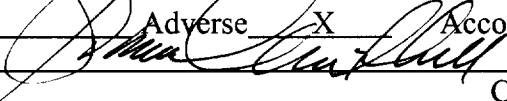
BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 10-10-00
Committee Action: Council Action



PATTERSON & PATTERSON, P.C.
ATTORNEYS AT LAW

119 RIDLEY AVENUE • SUITE 302
P.O. Box 2581
LAGRANGE, GA 30241
(706) 812-0200
FAX (706) 812-1155

REC'D 09-26-00
M. J. Hill
09/26/00
JGM
JACKIE G. PATTERSON, M.P.A., J.D., L.L.M.
LICENSED TO PRACTICE:
STATE OF GEORGIA
U.S. SUPREME COURT
U.S. COURT OF MILITARY APPEALS

August 15, 2000

Atlanta City Council
Councilman Robb Pitts, President
55 Trinity Avenue S.W.
Suite 2900
Atlanta, Georgia 30335

ENTERED - 9-28-00 - SB
00L0588 - DIANNE MITCHELL

YASMA M. PATTERSON, B.S.N., R.N., J.D.
LICENSED TO PRACTICE:
STATE OF GEORGIA
STATE OF TEXAS
U.S. COURT OF MILITARY APPEALS

Re: SERVICE OF ANTE LITEM NOTICE as required per O.C.G.A. 36-33-5

Name: Robert Lamar Freeman
D.O.L.: 04/13/00
Location: Harris Homes
Nature of injury: Burns

Dear Ms. Glover,

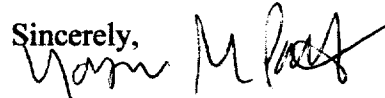
My law firm has been retained by Robert Lamar Freeman to represent him in a personal injury claim that he has against the City of Atlanta Housing Authority when he sustained burns over fifty percent (50%) of his body on April 13, 2000. Mr. Freeman was a pedestrian along 875 Norcross Street, Atlanta, Georgia (Harris Homes), when he stopped to light a cigarette, at which time an explosion occurred. He was transported to Grady Memorial Hospital with critical burns. The Atlanta Fire Department was called to the scene and advised in their report that this was a natural gas explosion ignited by a spark.

At the time of the occurrence, the location was abandoned, and there were no barriers to keep a pedestrian a safe distance away from the buildings if there were any obvious dangers. Obviously, a natural gas leak is not a visible danger that could have been avoided. Therefore, there was nothing that Mr. Freeman could have done to avoid the explosion. However, he is asserting that the City of Atlanta Housing Authority was negligent by allowing the natural gas service to continue to the buildings, when they were abandoned and not having any barriers present to keep pedestrian traffic away from the hazards of an abandoned buildings. Immediately after the explosion, remedial steps were taken and the gas service was discontinued and fencing was placed around the perimeter of the building.

Mr. Freeman was hospitalized at Grady Memorial Burn unit for two (2) months prior to be transferred to Warm Springs Institute for Rehabilitation, where he received treatment until July 7, 2000. Needless to say, Mr. Freeman has endured tremendous pain and suffering, a loss of body image and permanent disfigurement. He is seeking \$25,000,000.00 (twenty-five million dollars) from the City of Atlanta Housing Authority for damages. This letter is served according to O.C. G. A. 36-33-5. At the expiration of the specified time, Mr. Freeman plans to file a lawsuit if the City of Atlanta has not made provisions to settle this matter. My law firm has been in contact with Willis Administrative Services Corporation, the TPA for the Housing Authority, so this letter is served on your office at this time in order to comply with Georgia law.

We look forward to resolving this matter as amicably and expeditiously as possible.
Should you have any questions please feel free to telephone my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yasma M. Patterson', with a stylized flourish at the end.

Yasma M. Patterson

cc: City of Atlanta Council President,
Robb Pitts

file

00- R-1724

RCS# 2356
11/06/00
2:45 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty
B Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-R-1422
00-R-1666

CONSENT

		11/06/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1577 2. 00-O-1586 3. 00-O-1615 4. 00-O-1661 5. 00-O-1663 6. 00-O-1670 7. 00-R-1578 8. 00-R-1685 9. 00-R-1780 10. 00-R-1659 11. 00-R-1688 12. 00-R-1689 13. 00-R-1704 14. 00-R-1722 15. 00-R-1723 16. 00-R-1708 17. 00-R-1774 18. 00-R-1709 19. 00-R-1710 20. 00-R-1711 21. 00-R-1712 22. 00-R-1713 23. 00-R-1714 24. 00-R-1715 25. 00-R-1717 26. 00-R-1718 27. 00-R-1719 28. 00-R-1720 29. 00-R-1721	30. 00-R-1716 31. 00-R-1724 32. 00-R-1725 33. 00-R-1727 34. 00-R-1728 35. 00-R-1729 36. 00-R-1730 37. 00-R-1731 38. 00-R-1732 39. 00-R-1733 40. 00-R-1734 41. 00-R-1735 42. 00-R-1736 43. 00-R-1737 44. 00-R-1738 45. 00-R-1739 46. 00-R-1740 47. 00-R-1741 48. 00-R-1742 49. 00-R-1743 50. 00-R-1744 51. 00-R-1745 52. 00-R-1746 53. 00-R-1747 54. 00-R-1748 55. 00-R-1749 56. 00-R-1750 57. 00-R-1751 58. 00-R-1752	59. 00-R-1753 60. 00-R-1754 61. 00-R-1755 62. 00-R-1756 63. 00-R-1757 64. 00-R-1758 65. 00-R-1759 66. 00-R-1760 67. 00-R-1761 68. 00-R-1762 69. 00-R-1763 70. 00-R-1764 71. 00-R-1765 72. 00-R-1766 73. 00-R-1767 74. 00-R-1768 75. 00-R-1769 76. 00-R-1770 77. 00-R-1771 78. 00-R-1772 79. 00-R-1773